

over non-Federal payloads in the Space Shuttle launch assignments, and what policies should be developed to prioritize among payloads generally;

(6) whether the public interest requires that certain Space Shuttle functions continue to be performed by the Federal Government; and

(7) how much cost savings, if any, will be generated by privatization of the Space Shuttle.

(d) **REPORT TO CONGRESS.**—Within 60 days after the date of the enactment of this Act, the National Aeronautics and Space Administration shall complete the study required under subsection (c) and shall submit a report on the study to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science of the House of Representatives.

**SEC. 261. LAUNCH VOUCHER DEMONSTRATION PROGRAM AMENDMENTS.**

Section 504 of the National Aeronautics and Space Administration Authorization Act, Fiscal Year 1993 (15 U.S.C. 5803) is amended—

(1) in subsection (a)—

(A) by striking “the Office of Commercial Programs within”; and

(B) by striking “Such program shall not be effective after September 30, 1995.”;

(2) by striking subsection (c); and

(3) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

**SEC. 262. PRIVATIZATION OF MICROGRAVITY PARABOLIC FLIGHT OPERATIONS.**

(a) **FINDING.**—The Congress finds that no national security or mission critical justification exists for the National Aeronautics and Space Administration to maintain its own fleet of aircraft to provide a short duration microgravity environment via parabolic flight.

(b) **PRIVATIZATION OF FLIGHT OPERATIONS.**—

(1) The Administrator shall privatize all parabolic flight aircraft operations conducted by or for the National Aeronautics and Space Administration in support of microgravity research, astronaut training, and other functions, whose total cost can be reduced through issuance of one or more long-term, renewable, block purchase contracts for the performance of such operations by United States commercial sector providers.

(2) Within 90 days after the date of the enactment of this Act, the Administrator shall issue a request for proposals to provide services which meet all or part of the microgravity flight needs of the National Aeronautics and Space Administration, as described in paragraph (1) at a net savings to the United States Government. The Administrator shall coordinate the process of review of such proposals, and shall oversee the transfer of such operations to the commercial sector as specified in paragraph (3).

(3) Within 6 months after the issuance of a request for proposals under paragraph (2), the Administrator shall, where cost effective, award one or more contracts for microgravity parabolic flight services to a microgravity flight provider that is certified by the Federal Aviation Administration. Except as provided in paragraph (4), the Administrator shall cease all National Aeronautics and Space Administration-operated parabolic aircraft flights, and shall thereafter procure all microgravity parabolic flight services from commercial sector providers. National Aeronautics and Space Administration experimenters, and National Aeronautics and Space Administration-funded experimenters, who would otherwise use National Aeronautics and Space Administration-owned or operated microgravity parabolic flight aircraft, shall be issued

vouchers for the procurement of microgravity parabolic flight services from the commercial sector.

(4) The Administrator may, as necessary to ensure the continuity of National Aeronautics and Space Administration operations, continue to operate parabolic aircraft flights for up to 3 months after a contract is awarded under paragraph (3). If the Administrator continues operations pursuant to this paragraph, the Administrator shall concurrently transmit to the Congress an explanation of the reasons for such action.

(5) Six months after the National Aeronautics and Space Administration ceases all parabolic aircraft flights under paragraph (3), the Administrator shall transmit a report to Congress on the effectiveness of privatization under this section.

**SEC. 263. UNITARY WIND TUNNEL PLAN ACT OF 1949 AMENDMENTS.**

The Unitary Wind Tunnel Plan Act of 1949 is amended—

(1) in section 101 (50 U.S.C. 511) by striking “transsonic and supersonic” and inserting in lieu thereof “transonic, supersonic, and hypersonic”; and

(2) in section 103 (50 U.S.C. 513)—

(A) by striking “laboratories” in subsection (a) and inserting in lieu thereof “laboratories and centers”; and

(B) by striking “supersonic” in subsection (a) and inserting in lieu thereof “transonic, supersonic, and hypersonic”; and

(C) by striking “laboratory” in subsection (c) and inserting in lieu thereof “facility”.

**SEC. 264. USE OF ABANDONED AND UNDERUTILIZED BUILDINGS, GROUNDS, AND FACILITIES.**

(a) **IN GENERAL.**—In meeting the needs of the National Aeronautics and Space Administration for additional facilities, the Administrator, whenever feasible, shall select abandoned and underutilized buildings, grounds, and facilities in depressed communities that can be converted to National Aeronautics and Space Administration facilities at a reasonable cost, as determined by the Administrator.

(b) **DEFINITIONS.**—For purposes of this section, the term “depressed communities” means rural and urban communities that are relatively depressed, in terms of age of housing, extent of poverty, growth of per capita income, extent of unemployment, job lag, or surplus labor.

**SEC. 265. COST EFFECTIVENESS CALCULATIONS.**

In calculating the cost effectiveness of the cost of the National Aeronautics and Space Administration engaging in an activity as compared to the private sector, the comparison shall be made based only on the price the private sector provider will charge for such activity.

**SEC. 266. PROCUREMENT OMBUDSMAN.**

(a) **ESTABLISHMENT.**—The Administrator shall establish the position of Procurement Ombudsman for the National Aeronautics and Space Administration.

(b) **FUNCTIONS.**—The Procurement Ombudsman shall—

(1) be responsible, in consultation with the Office of Procurement, for reviewing proposed new missions for the National Aeronautics and Space Administration to determine if such missions, or elements thereof, can be fulfilled by United States commercial providers; and

(2) serve as a point of contact for—

(A) persons with whom the National Aeronautics and Space Administration has entered into a procurement contract, with respect to concerns of those persons about that contract; and

(B) United States commercial providers, with respect to issues relating to competition between those providers and the Federal Government.

(c) **REPORTS TO CONGRESS.**—The Procurement Ombudsman shall annually, in conjunction with the President’s annual budget request, transmit a report to Congress describing the activities of the Ombudsman during the previous year.

**SEC. 267. AUTHORITY TO REDUCE OR SUSPEND CONTRACT PAYMENTS BASED ON SUBSTANTIAL EVIDENCE OF FRAUD.**

Section 2307(h)(8) of title 10, United States Code, is amended by striking “and (4)” and inserting in lieu thereof “(4), and (6)”.

Mr. WALKER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. KINGSTON) having assumed the chair, Mr. BURTON of Indiana, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 3322) to authorize appropriations for fiscal year 1997 for civilian science activities of the Federal Government, and for other purposes, had come to no resolution thereon.

**REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3517, MILITARY CONSTRUCTION APPROPRIATIONS BILL, FISCAL YEAR 1997**

Mr. SOLOMON, from the Committee on Rules, submitted a privileged report (Rept. No. 104-599) on the resolution (H. Res. 442) providing for consideration of the bill (H.R. 3517) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1997, and for other purposes, which was referred to the House Calendar and ordered to be printed.

**REPORT ON H.R. 3540, FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 1997**

Mr. CALLAHAN, from the Committee on Appropriations, submitted a privileged report (Rept. No. 104-600) on the bill (H.R. 3540) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1997, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. All points of order are reserved.

**THE JOURNAL**

The SPEAKER pro tempore. Pursuant to clause 5 of rule I, the pending business is the question of the Speaker’s approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

**REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1462**

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent to